



~~ST~~ Sector

05158.P001

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hui Liu, et al.)
Serial No.: 09/685,977)
Filed: October 10, 2000)
For: MEDIUM ACCESS CONTROL FOR)
ORTHOGONAL FREQUENCY-DIVISION)
MULTIPLE-ACCESS (OFDMA) CELLULAR)
NETWORKS)

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)**

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed November 24, 2000, please find enclosed:

(1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;

(2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);

(3) a copy of the Notice to File Missing Parts of Application;

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/4, 2001


Michael J. Mallie
Reg. No. 36,591

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598

FIRST CLASS CERTIFICATE OF MAILING

(37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on 1-5-01
Date of Deposit

Angela M. Quinn

Name of Person Mailing Correspondence

Angela M. Quinn
Signature

January 5, 2001
Date



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/685,977	10/10/2000	Hui Liu	05158.P001

Michael J Mallie
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard
7th Floor
Los Angeles, CA 90025

FORMALITIES LETTER



OC000000005574299

Date Mailed: 11/24/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

J. Hwang F-6

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/11/2001 SDUONG 00000042 09685977
130.00 0P
01 FC:105



FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known:

Application No. 09/685,977Filing Date October 10, 2000First Named Inventor Hui LiuGroup Art Unit Not Yet AssignedExaminer Name Not Yet AssignedAttorney Docket No. 05158.P001

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Credit Card
 Money Order
 Other

FEE CALCULATION

1. BASIC FILING FEE

<u>Large Entity</u>	<u>Small Entity</u>				
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
101	710	201	355	Fee Description	
106	320	206	160	Utility application filing fee	
107	490	207	245	Design application filing fee	
108	710	208	355	Plant filing fee	
114	150	214	75	Reissue filing fee	
				Provisional application filing fee	

SUBTOTAL (1) \$ 0

2. EXTRA CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>- 20** =</u>	<u>X</u>	<u>=</u>
Independent Claims	<u>- 3** =</u>	<u>X</u>	<u>=</u>
Multiple Dependent			

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

<u>Large Entity</u>	<u>Small Entity</u>				
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
103	18	203	9	Fee Description	
102	80	202	40	Claims in excess of 20	
104	270	204	135	Independent claims in excess of 3	
109	80	209	40	Multiple dependent claim, if not paid	
110	18	210	9	**Reissue independent claims over original patent	
				**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	Surcharge - late filing fee or oath 65
127	50	227	Surcharge - late provisional filing fee or cover sheet 25
139	130	139	Non-English specification 130
147	2,520	147	For filing a request for ex parte reexamination 2,520
112	920*	112	Requesting publication of SIR prior to Examiner action 920*
113	1,840*	113	Requesting publication of SIR after Examiner action 1,840*
115	110	215	Extension for reply within first month 55
116	390	216	Extension for reply within second month 195
117	890	217	Extension for reply within third month 445
118	1,390	218	Extension for reply within fourth month 695
128	1,890	228	Extension for reply within fifth month 945
119	310	219	Notice of Appeal 155
120	310	220	Filing a brief in support of an appeal 155
121	270	221	Request for oral hearing 135
138	1,510	138	Petition to institute a public use proceeding 1,510
140	110	240	Petition to revive – unavoidable 55
141	1,240	241	Petition to revive - unintentional 620
142	1,240	242	Utility issue fee (or reissue) 620
143	440	243	Design issue fee 220
144	600	244	Plant issue fee 300
122	130	122	Petitions to the Commissioner 130
123	130	123	Petitions related to provisional applications 130
126	180	126	Submission of Information Disclosure Stmt 180
581	40	581	Recording each patent assignment per property (times number of properties) 40
146	710	246	For filing a submission after final rejection (see 37 CFR 1.129(a)) 355
149	710	249	For each additional invention to be examined (see 37 CFR 1.129(b)) 355
179	710	279	Request for Continued Examination (RCE) 355
169	900	169	Request for expedited examination of a design application 900

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 130.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Michael J. MallieSignature: Michael J. MallieDate: 1/4/01Reg. Number: 36,591Telephone Number: (408) 720-8300

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



FIRST CLASS CERTIFICATE OF MAILING

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on January 5, 2001

Date of Deposit

Angie McQuinn

Name of Person Mailing Correspondence

Angie McQuinn

1-5-01

Signature

Date

Serial/Patent No.:	<u>09/685,977</u>			Filing/Issue Date:	<u>10/10/00</u>		
Client:	<u>Broadstorm Telecommunications, Inc.</u>			Atty/Secty Initials:	<u>MJM/amq</u>		
Title:	<u>MEDIUM ACCESS CONTROL FOR ORTHOGONAL FREQUENCY-DIVISION MULTIPLE-ACCESS (OFDMA) CELLULAR NETWORKS</u>			Docket Due Date:	<u>1/24/01</u>		
bstz File No.:	<u>05158.P001</u>			Express Mail No.:	<input checked="" type="checkbox"/> <u>10100</u>		
Date Mailed:	<u>1-5-01</u>			<input type="checkbox"/>	Month(s) Extension of Time		
The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:				<input type="checkbox"/>	Check No. <u>130.00</u>		
				<input type="checkbox"/>	Amt: <u>130.00</u>		
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				<input type="checkbox"/>	Preliminary Amendment (____ pgs.)		
				<input type="checkbox"/>	Reply Brief (____ pgs.)		
				<input checked="" type="checkbox"/>	Response to Notice of Missing Parts		
				<input type="checkbox"/>	Small Entity Declaration for Indep. Inventor/Small Business		
				<input type="checkbox"/>	Transmittal Letter, in duplicate		
				<input checked="" type="checkbox"/>	Fee Transmittal, in duplicate		
<input checked="" type="checkbox"/> Certificate of Mailing							
<input checked="" type="checkbox"/> Declaration & POA (5 pgs.) (signed)							
<input type="checkbox"/> Disclosure Docs & Orig & Cpy of hems/Signed Letter (____ pgs.)							
<input type="checkbox"/> Drawings: ____ # of sheets includes ____ figures							
<input checked="" type="checkbox"/> Other: <u>Copy of Notice to File Missing Parts of Nonprovisional Application (1 pg.)</u>							